

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

| | | |
|-------------------------|---|----------------------------------|
| DAVID CHESTER FAULKNER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 10-2722-JDT-dkv |
| |) | |
| HENRY STEWART, et al, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

MOTION TO WITHDRAW

Comes now the attorney of record for the plaintiff, DAVID CHESTER FAULKNER, who would show unto this Honorable Court as follows:

1. The undersigned counsel filed an Appearance of Counsel on March 20, 2014. (D.E. 238.)
2. Since entry of the Appearance of Counsel, the undersigned counsel's review of the file has revealed certain information that makes it impossible to represent the Plaintiff in this matter. Counsel was advised that the case was in a posture to pursue a possible settlement, but based upon the Court's Order of March 25, 2014, (D.E. 239) clearly that is not the case. Counsel is not in a position to try this lawsuit in September of this year without the benefit of any discovery or the possibility of any discovery. The misleading statements and conduct of the Plaintiff make the continuance of any attorney-client relationship untenable.
3. Undersigned counsel would request that he be allowed to withdraw as attorney of record, and the Plaintiff be allowed 30 days to retain substitute counsel or answer the Defendants' Motion for Summary Judgment. (D.E. 241.)

Respectfully submitted this 2nd day of May, 2014.

BURCH & STANLEY, P.C.

By: 

Eric J. Burch (#19320)
Attorney for Plaintiff
200 South Woodland Street
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CERTIFICATE OF SERVICE

This is to certify that on May 12, 2014, a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, Arthur Crownover, II, attorney for defendants, Office of the Attorney General, Civil Rights and Claims Division, P. O. Box 20207, Nashville, Tennessee, 37202-0207. Parties may access this filing through the Court's electronic filing system.

BURCH & STANLEY, P.C.

By: 

Eric J. Burch (#19320)
Attorney for Plaintiff